

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANISUR RAHMAN,

Petitioner,

v.

MERRICK GARLAND,

Respondent.

Case No. 2:24-cv-02132-JHC-TLF

ORDER FOR GOVERNMENT TO  
EXPAND THE RECORD

On August 7, 2025, petitioner filed a motion to enforce and specifically asks the Court to order his immediate release, or in the alternative, to set a reasonable bond amount as assurance that he will follow any ICE orders, including presenting himself for removal. Dkt. 20. The Government responded to the motion on August 21, 2025, and filed with the Clerk of Court a compact disk containing an audio recording of the petitioner's August 5, 2025, bond hearing before an Immigration Judge. Dkt. 30, Dkt. 31-1, Exhibit A. The Government argues the record, which includes the contents of the audio recording, demonstrates there was a rational basis for the Immigration Judge to find that DHS met its burden of proving that petitioner is a flight risk by clear and convincing evidence, and therefore, petitioner's continued detention is justified.

The Court has reviewed the briefing and current record ORDERS the Government to expand the current record and submit a transcription of the August 5, 2025, bond hearing to the Court no later than **September 23, 2025**. See Rule 10 of the

1 Rules Governing Section 2254 Cases<sup>1</sup>. See *also* Rule 7(a) (“If the petition is not  
2 dismissed, the judge may direct the parties to expand the record by submitting  
3 additional materials relating to the petition. The judge may require that these materials  
4 be authenticated.”).

5 The Court further Orders the Government to properly authenticate the  
6 transcription (Dkt 31 states that Government’s counsel, AUSA Lambert, declares the  
7 CD contains a true and correct audio recording, but only describes that the recording  
8 was sent to AUSA Lambert by another attorney, Acting Senior Associate General  
9 Counsel Patricia Allen, without stating who prepared the CD, whether AUSA Lambert or  
10 the attorney who sent the CD had personal knowledge of what occurred at the hearing,  
11 or describing chain of custody of the CD) pursuant to Federal Rules of Evidence 901 or  
12 902. Petitioner will have until **September 26, 2025**, to review the transcription, and may  
13 (if there is a basis for objecting) object to the evidence.

14 Dated this 18th day of September, 2025.

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17 Theresa L. Fricke  
18 Theresa L. Fricke  
19 United States Magistrate Judge  
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24 <sup>1</sup> Pursuant to Rule 1(b), the district court may apply the rules governing 2254 cases to other types of  
25 habeas corpus petitions.